SINGLE BENCH (4)

CF 1007

IN THE HIGH COURT OF JUDICATURE :CHHATTISGARH:BILASPUR

WRIT PETITION NO(S) : 751 OF 2007

PETITIONER : Hemant Kumar Choudhary
s/o Shri Than Singh, aged 47 yrs
Assistant Teacher : Govt. Girls
Primary School : Armarikala :
Distt- Durg CG

F.R. No. 773/07
Presented by Shri Anurag Sharma
Filed 25/11/07

- **VERSUS** -

RESPONDENTS : 1. THE STATE OF CHHATTISGARH
Through : The Secretary to
the Govt. of Chhattisgarh,
School Education Department,
Mantralaya : Raipur CG

2. The District Education,
Officer : Durg CG

3. The Principal
Govt. Girls Primary School :
Armarikala : Distt- Durg CG

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WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

(26)

HIGH COURT OF CHHATTISGARH AT BILASPUR

SINGLE BENCH : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S.) NO. 751 OF 2007

Petitioner : Hemant Kumar Choudhary

versus

Respondents : The State of Chhattisgarh and others

And

WRIT PETITION (S.) NO.752 OF 2007

Petitioner : Ishwari Prasad Sahu

versus

Respondents : The State of Chhattisgarh and others

Present : Mr. Anurag Dayal Shrivastava, counsel for the petitioners.

Ms. Sunita Jain, Panel lawyer for the State/respondents.

ORDER

(Passed on 8th Day of February, 2007)

1. Learned counsel appearing for the petitioners as well as for the State/respondents jointly submit that the facts and question of law involved in the present writ petitions are squarely covered by the decision of this Court in the case of in the case of ***Yashwant Kumar Bharadwaj*** vs. ***Municipal Corporation, Durg and another***[1].

2. In subsequent cases, i.e., Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** vs. ***The State Govt. of Chhattisgarh and another***) and other connected matters, decided by this Court on

(57)

15-12-2006, pursuant to the memo dated 28-1-1995, issued by the Secretary, Board of Secondary Education, Bhopal and the prospectus of Diploma in Education Examination, it was clarified that the nomenclature of the Basic Training Institute, i.e., B.T.I. has been changed and renamed as Diploma in Education, i.e., D.Ed. Accordingly, the D.Ed. Certificate holders are also covered by the decision in Writ Petition (S.) No.4130 of 2005 (***Gopesh Kumar Verma*** **vs.** ***The State Govt. of Chhattisgarh and another***) (Supra).

3. For the aforementioned reasons, the writ petitions are disposed of in terms of the decision of this Court in the matter of *Yashwant Kumar Bharadwaj* (Supra), subject to verification of the fact as to whether the petitioners have acquired D.Ed. Certificates at their own expenses as per the circulars dated 24-12-1998 and 1-3-1999 and further whether they have been paid two advance increments or not. No order as to costs.

4. A copy of this order be placed on the record of the connected writ petitions.

Sd/-
Satish K. Agnihotri
Judge

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1 2006 (II) MPJR-CG 96

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